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Opinion

Title **Impact Assessment on the revision of the Directive on Integrated Pollution Prevention and Control (96/61/EC) and of related legislation on industrial emissions (2001/80/EC, 1999/13/EC, 2000/76/EC, 78/176/EEC, 82/883/EEC and 92/112/EEC)**

Lead DG **DG ENV**

1) Impact Assessment Board Opinion

(A) Context

Together with the Large Combustion Plants, the Integrated Pollution Prevention and Control (IPPC) Directives are the major pieces of Community legislation regulating industrial emissions. The review of the legislation on industrial emissions has been driven by the underlying EU strategies for growth and jobs (Lisbon) and sustainable development. The Council has supported the promotion and diffusion of eco-innovations and environmental technologies. The Commission's second Environment Technology Action Plan review report identified the IPPC Directive as a key tool for sustainable production and innovation. In this respect, there is a policy link to the forthcoming initiatives on sustainable industrial policy (ENTR) and sustainable consumption and production (ENV). Existing thematic strategies on air pollution, soil protection and the prevention and recycling of waste, and the energy efficiency action plan are also relevant.

(B) Positive aspects

The IA report contains a wide range of options and detailed analysis of impacts. The stakeholder consultation has been sought in an appropriate manner.

(C) Main recommendations for improvements

The recommendations below are listed in order of descending importance. Some more technical comments have been transmitted directly to the author DG.

General recommendation: Whereas the IA report contains a good amount of information, some of the aspects (see below) must be made more visible. In view of the many sub-options considered, the IA report should present the scope of

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aggregate policy packages and the combined impact they will have.

Specific recommendations:

(1) The expected impact of the chosen policy mix should be made more visible.

Whereas the IA report contains a good amount of analysis of impacts of sub-options, the combined impact of the overall preferred option could be made clearer (given that the IA report explicitly recommends preferred options). This recommendation holds also for the analysis of administrative costs, the results of which should be presented in a concise way in the main text of the IA report.

(2) Simplification benefits need to be highlighted. The IA concerns several directives being merged into a single one while the proposal also aims at enhancing the implementation of the best available technology (BAT). An additional option to be analysed, in order to facilitate effective implementation could be to provide assistance to the MS on implementation well before the new directive comes into force.

(3) The RAINS baseline used in the IA needs to be clarified, in particular concerning the extent to which experience with the current, insufficient implementation rates have been taken into account.

(4) Some of the impacts need to be clarified. In particular the impact on health, the regional impacts on employment and impact across various sectors need to be better analysed. The geographical location of the concerned installations should be presented.

(D) Procedure and presentation

The IA report is well written. It exceeds the 30 page limit provided in the IA Guidelines, but given the scope of the proposal and the impacts, this can be accepted.

2) IAB scrutiny process

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External expertise used	No
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